

REMARKS:

In the final Office Action the Examiner noted that claims 1-28 are pending in the application, and the Examiner rejected all claims. Claims 1, 6, 11 and 16-28 are amended herein.

A Request for Continued Examination is submitted. No new matter is presented. Support for the amendments can be found at least on page 12, line 24 through page 13, line 25 and Fig. 5 of the Specification as filed.

Thus, claims 1-28 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 103(a):

A. Claims 1, 2, 6, 7, 11, 12 and 16 as being unpatentable over U.S. Patent No. 5,978,828 (Greer), U.S. Patent No. 6,259,442 (Britt), U.S. Patent No. 7,120,590 (Eisen) and U.S. Patent No. 6,055,570 (Nielson).

Independent claim 1, as amended recites, "automatically storing in the server system, an access log with respect to a homepage arbitrarily accessed by and not related to the client system in response to an access to the homepage."

Claim 1, by way of example, further includes "automatically transmitting the notification, where the predetermined condition is set by the server system independent of the client system" and "the server system stores a plurality of kinds of notifying destination information and transmits the notification by using at least one notifying destination information registered by the client system."

Independent claims 6, 11 and 16-28 also recite "the server stores a plurality of kinds of notifying destination information and transmits the notification by using at least one notifying destination information registered by the client system."

Greer does not teach or suggest "transmitting notification for inducing the client system to re-access the homepage when a predetermined condition [that is] set by the server system independent of the client system" is satisfied, as recited in claim 1 (see also 6, 11 and 16-20). The Examiner appears to read only part of this feature when comparing the same to Greer.

Instead, the setup window in Greer has the sole purpose of providing the user to assignable settings for retrieving update information of a web page based on user specified

settings in the setup window (see, col. 3, lines 14-23 and col. 7, lines 20-32). As explicitly stated in Greer with respect to Fig. 9, "If the current revision minus the last revision (value in field 604) is greater than or equal to the value shown in box 608, then the Web page is automatically download."

Britt does not teach or suggest "[a] notification when a predetermined condition is satisfied where the predetermined condition is set by the server system independent of the client system", as recited in claim 1. In contrast, Britt downloads only based on user subscription associated with set-top boxes of the users (see, col. 3, lines 47-55 and col. 7, lines 20-35) and thus the downloads are related to the set-top boxes.

Nielson does not teach or suggest "an access log with respect to a homepage arbitrarily accessed by and not related to the client system", as recited in claim 1. Instead, Nielson monitors a change in contents of the page which has been specified by the user in advance using the subscriber based update service (see, Fig. 5 including corresponding text).

On page 48 of the outstanding Office Action, the Examiner appears to agree that Greer, Britt, and Nielson monitor access by a client "responsive to a user request to monitor the user's access to the particular site (tagging)." However, the Examiner alleges that Eisen teaches a system for monitoring without a request to do so by the client system.

Eisen does not teach or suggest an access log "in response to an access to the homepage", as for example recited in claim 1. Instead, in Eisen, an electronic mail is sent to a consumer and the access state of the consumer M within this website is logged (see, col. 6, lines 3-48). In addition, in Eisen, the consumer movement tracker associates the consumer with a particular website using the electronic mail (see, Fig. 5 including corresponding text). That is, Eisen relates the links to the particular consumer.

It is respectfully submitted that none of the cited references teach or suggest the above-discussed features of the claims including "notification independent of [a request for the notification] the client system" where "the server system stores a plurality of kinds of notifying destination information and transmits the notification by using at least one notifying destination information registered by the client system", as recited in the independent claims.

Therefore, withdrawal of the rejection is respectfully requested.

B. Claim 28 is rejected under 35 U.S.C. §103(a) as being unpatentable over Greer and Eisen.

Greer does not teach or suggest "sending a notification independent of a browser used to access the homepage when a condition specified independently of the client system is met", as recited in claim 28.

On page 47 of the outstanding Office Action, the Examiner alleges that Greer at col. 1, line 50, col. 3, lines 14-57 and col. 7, lines 23-29 teach alerting the user and automatically transmitting the web page to the client. Applicants respectfully disagree since the language of claim 28 explicitly states, "sending a notification independent of a browser when a condition specified independently of the client system is met."

As mentioned above, Greer requires a user to configure or assign values in a setup window to trigger a download of a web page (see, col. 1, lines col. 7, lines 20-22).

Eisen does not teach or suggest "capturing information of a homepage responsive to a user accessing the homepage... **without requiring a request by the user and unrelated to operations of the user within the homepage**" (emphasis added). In contrast, Eisen logs only the access state of a specific website embedded in the electronic mail (see, col. 6, lines 3-48).

Claim 28 also recites that "a server stores a plurality of kinds of notifying destination information and transmits the notification using at least one notifying destination information stored."

Greer and Eisen, alone or in combination, do not teach or suggest the above-discussed features of claim 28.

Therefore, withdrawal of the rejection is respectfully requested.

c. No motivation to combine the cited references

Applicants respectfully submit that one of ordinary skill in the art at the time of the invention would not be motivated to combine Greer, Britt, Eisen, Nielson and Mano. This is because the record fails to provide the required evidence of apparent motivation for a person of ordinary skill in the art to perform a modification of the teachings of the multiple references to arrive at the claimed invention.

In other words, an attempt to bring in the isolated teaching of the references would amount to improperly picking and choosing features from different references without regard to the teachings of the references as a whole. While the required evidence of motivation to

combine need not come from the applied references themselves, the evidence must come from *somewhere* within the record. Since there is no requisite reasoning to combine the references cited by the Examiner, the Applicants respectfully request the withdrawal of the Examiner's §103 rejections.

Even assuming *arguendo* that one of ordinary skill at the time of the invention would be motivated to combine Greer, Britt, Eisen Nielson and Mano, Applicants respectfully submit that the teachings of these references does not produce the claimed invention, and in fact, teach away from the claimed invention.

This is because Greer only provides update notifications for web pages the user has individually assigned settings, Britt downloads based on user subscription in relation to set-top boxes, Eisen associates a link embedded in the e-mail to the consumer for the log acquisition target, Nielson and Mano both require a user to specify subjects of the download.

Thus, the references teach away from "an access log with respect to a homepage arbitrarily accessed by and not related to the client system", transmitting a notification when condition set by "the server system independent of the client system" is met, as taught by the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

DEPENDENT CLAIMS:

The dependent claims include all of the features of that claim plus additional features which are not disclosed by the cited references. Therefore, it is respectfully submitted that the dependent claims also patentably distinguish over the cited references.

The dependent claims are also independently patentable. For example, claim 7 recites, that the invention "creates information including update information of the homepage on or after said point in time." The cited references do not teach or suggest the access inducing system and method where "information including update information of the homepage on or after said point in time" when the client system last made access to the homepage independent of the client system, as recited in claim 7.

The Examiner also combines U.S. Patent No. 5,978,807 (Mano) with Greer, Britt, Eisen, Nielson to reject claims 3-5, 8-10, and 13-15 under 35 U.S.C. § 103(a).

However, Mano adds noting to the teachings of Greer, Britt, Eisen and Nielson. In contrast to the access inducing system and method of the claimed invention where notification is

transmitted independent of the client, Mano requires a user to manually specify conditions for downloading a web page (see, column 2, lines 38-44).

For example, dependent claim 4 recites an access inducing method transmitting a notification independent of the client including "urging the client system to input user information and said notification being made based on the user information."

None of the cited references teach or suggest transmitting notification independent of a request from a client to do so and then "urging the client system to input user information and said notification being made based on the user information", as recited in claim 4.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10/30/2007

By: 
Temnit Afework
Registration No. 58,202

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501